Town of Garrett Park Ordinance 2017-4 Fiscal Year 2018 Capital and Operating Budgets Proposed for Introduction June 12, 2017

Whereas, the Garrett Park Town Council wishes to make a technical adjustment to the FY 2018 Capital and Operating Budgets resolution;

Now therefore be it resolved, that Fiscal Year 2018 Capital and Operating Budgets resolution shall be amended to include as the fifth resolve the following:

Be it further resolved, that income received for any restricted reserve for the purposes of that reserve shall be considered to be an automatic increase in the revenues budget for the revenues line item associated with that reserve and an appropriate increase in the total revenues budget.

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Town of Garrett Park Ordinance 2017-5 Amendment of Traffic and Vehicles and Municipal Infractions Ordinances Proposed For Introduction on June 12, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing traffic and vehicles ordinances; and

Whereas, the Council finds that the process defined by these ordinances is less flexible, efficient and effective than necessary to meet the current and future needs of the Town; and

Whereas, the Council wishes to introduce more flexibility, efficiency and effectiveness into controlling traffic and parking within the Town while assuring adequate notice, review, and control of the process; and

Whereas, the Council proposes to delegate the development of traffic control and parking regulations to the Town Manager, subject to prior public notice and Council review; and

Whereas, the Council proposes to authorize the Town Manager and his or her designees to enforce these regulations;

Now therefore be it resolved, that Chapter 8 of the Garrett Park Code of Ordinances shall be renamed TRAFFIC AND PARKING; and

Be it further resolved, that existing Section 801(a) shall be repealed and the subsequent subsections renumbered; and

Be it further resolved, that existing Section 801 shall be renamed <u>Garrett Park Off</u>Street Parking Ordinance and shall be renumbered Section 713; and

Be it further resolved, that existing Section 802 shall be renumbered Section 803 and the last two sentences shall be deleted; and

Be it further resolved, that new Sections 801 and 802 shall be as attached to this ordinance; and

Be it further resolved, that consistent with the provisions of the new sections 801 and 802 the Town Manager shall prepare regulations to cover all parking and traffic restrictions and controls included in existing Sections 803 through 811; and

Be it further resolved, that upon completion of preparation, notice, and circulation of regulations as specified in the immediate above resolve, and when such regulations take effect, Sections 803 through 811 are repealed; and

Be it further resolved, that existing Section 812 shall be renumbered Section 804; and

Be it further resolved, that existing Sections 902 through 904 shall be revised to read as attached to this resolution; and

Be it finally resolved, that the Council declares all violations of provisions and regulations adopted under Chapter 8, TRAFFIC AND PARKING, to be municipal infractions.

Attachment to Ordinance 2017-5

Section 801. Traffic and Parking Regulations

- (a) The Town Manager is authorized and has the responsibility to implement via regulation temporary or permanent traffic controls, parking restrictions, and road closures on the Town's streets and lands as required to
 - (1) assure the public good, safety, and convenience:
 - (2) facilitate road or utility construction, maintenance, and repair;
 - (3) assist in the provision of public services such as trash and recycling collection, street cleaning, leaf removal, vegetation management, or emergency services in the Town right-of-way;
 - (4) enable construction, maintenance and repair in the Town right-ofway;
 - (5) accommodate weather conditions and special events.
- (b) The Town Manager shall prepare in writing proposed regulations or amendments to previously published regulations for permanent traffic or parking restrictions or street closures. The Town Manager shall circulate the proposed regulations to the Mayor and the members of the Town Council and shall provide public notice of the proposed regulations. The proposed regulations shall take effect one week following such public notice unless a councilmember requests that the proposed regulation be discussed at the next regular Town Council meeting. The Town Council may by majority vote direct the Town Manager to modify or delete any or all of the proposed regulations. The Town Manager shall codify and make available to the public all regulations.
- (c) The Town Manager may exercise his discretion to regulate traffic or parking temporarily should public safety, an emergency or short term temporary events so require.
- (d) The Town Manager shall erect as appropriate traffic control and parking signs and/or other devices to implement such regulations, and to the extent practicable, shall post notices of temporary parking or traffic restrictions or closures by signage on streets and areas affected.

Section 802. Enforcement

- (a) The Town Manager and his or her designees shall have the authority to enforce permanent parking restrictions by issuing citations to the vehicles of violators. The Town Manager shall have the authority to enforce temporary parking regulations by having vehicles that are in violation of such restrictions towed to a location as close to its original location as possible within the Town. At the Town Manager's discretion, the expense of such towing may be borne by the Town or may be charged to the owner of the obstructing vehicle.
- (b) The Town Manager shall prepare in writing a proposed schedule of fines for violation of permanent traffic control and parking restrictions. Such violations shall constitute municipal infractions.
- (c) The Town Manager shall promptly circulate the proposed schedule of fines to the Mayor and the members of the Town Council and shall provide public notice of the proposed schedule of fines. The proposed schedule of fines shall take effect one week following publication of such public notice unless a councilmember requests that the proposed schedule of fines be discussed at the next regular Town Council meeting. The Town Council may by majority vote direct the Town Manager to modify the fines. The Town Manager shall codify and make available to the public the schedule of fines.

Section 902. <u>Declaration as Infraction; Penalty</u>

The Council may by official act declare the violation of certain ordinances to be either a municipal infraction or a misdemeanor and may declare a penalty for each such violation

Section 903. <u>Issuance of Citation</u>

The Town Manager and his or her designees shall have the authority to issue a citation or citations to any person or vehicle. A copy of the citation shall be retained by the Town and shall bear the certification of the enforcing official as to the accuracy of the matter set forth in the citation. The citation shall contain at a minimum the following information:

(a) Name and address of the person charged or license plate information of a vehicle violating parking regulations;

- (b) The nature of the infraction;
- (c) The location and time that the infraction occurred or was observed;
- (d) The amount of the infraction fine assessed;
- (e) The manner, location, and time in which the fine may be paid to the Town;
- (f) The right of the accused to stand trial for the infraction; and
- (g) The effect of failing to pay the assessed find or demand a trial within the prescribed time.

Section 904. Payment of Fine

The fine for an infraction shall be as specified in the ordinance or regulation violated. The fine is payable by the recipient of the citation to the Town within 20 calendar days of receipt of the citation.